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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/508,813	05/30/2000	NORIO ITO	1907-190PCT	1974
2292	7590	11/04/2004	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			DANG, DUYN	
			ART UNIT	PAPER NUMBER
			2621	

DATE MAILED: 11/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/508,813

Applicant(s)

ITO ET AL.

Examiner

Duy M Dang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 46,52,57,62,67,72 and 95-101 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 46,52,57,62,67 and 72 is/are allowed.
- 6) ☒ Claim(s) 95-101 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_.

### **DETAILED ACTION**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/11/04 has been entered.
2. Applicant's response with the submission of the three verified translations of priority documents filed 8/11/04 overcomes the finality of the rejection of the last Office action because the referent to Chui et al. (US Patent No. 6,229,926) is no longer qualified as a prior art.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 95-96 and 98 are rejected under 35 U.S.C. 112, first paragraph, because of the reasons as follows:

It is noted that claim 95 is a single mean claim and recites a single mean that of "a wavelet-decoding portion for conducting wavelet-decoding of the coded data based on the management information". Therefore, claim 95 is subject to an undue breadth rejection under 35 U.S.C. 112, first paragraph. See MPEP 2164.08(a).

Likewise, claim 96 is a single means claim and it is also rejected for the same reasons as set forth in claim 95 above.

Claims 97-98 are also rejected as being dependent upon the rejected base claim.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 95-101 are rejected under 35 U.S.C. 102(b) as being anticipated by Shapiro [US Patent No. 5,563,960].

Regarding claims 95-96, Shapiro teaches a wavelet decoding portion for conducting wavelet decoding of the coded data based on the management information [see decoder 50 of figure 2 corresponding to the so called “wavelet decoding portion” for decoding the coded data (40 of figures 1-2). Note the header 38 shown in figures 1-2 corresponds to the so called “management information” according to column 2 lines 60-64].

Regarding claim 97, Shapiro further teaches a coded data extracting portion for extracting a portion of the coded information from the bit stream [see the “separating the header from data bit information” mentioned in column 2 lines 60-62], the portion of the coded information corresponding to a given tile based on said management information [note the “data bit” (40 of figures 1-2)], wherein said wavelet decoding portion conducts wavelet decoding the portion of the coded information [see decoder 50 of figure 2 corresponding to the so called “wavelet decoding portion” for decoding the coded data (40 of figures 1-2)].

Regarding claim 98, Shapiro further teaches combining the wavelet-decoded image of each tile to achieve a desired decoded image [the “reconstructed image” outputted from the adder 1038 according to figure 10 and column 11 lines 18-42].

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The advanced statements as applied to claims 95-98 above are incorporated herein. With regard to claims 99-101, Shapiro further teaches tile dividing portion [see figures 3-4], wavelet encoder [encoder 28 of figure 1 and further shown in figure 5], and coded data integration portion [see the bitstream comprising header bits 38 and data bits 40 shown in figures 1-2 and column 2 lines 57-58].

7. Claims 46, 52, 57, 62, 67, and 72 are allowed.

8. The following is an examiner's statement of reasons for allowance:

Regarding claim 46, the closest cite prior art (US Patent No. 6,229,926 to Chui et al.) fails to teach the features of: "wherein each adjacent pixel to be attached to the object tile is multiplied by a weight function according to a distance from the objective tile, wherein each of the object tiles is attached the adjacent pixel by the adjacent pixel adding portion".

Dependent claims 52, 57, 62, 67, and 72 are also allowed for the same reasons as above.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duy M Dang whose telephone number is 703-305-1464. The examiner can normally be reached on Monday to Friday from 5:30AM to 2:00PM..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo H Boudreau can be reached on 703-305-4706. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

dmd  
10/29/04



Duy M. Dang  
Patent Examiner